



# **PUBLIC NOTICE**

## **APPLICATION FOR PERMIT**

**U.S. Army  
Corps of Engineers  
Chicago District**

**Public Notice/Application Number:** 200201107

**Comment Period Begins:** February 3, 2004

**Comment Period Expires:** March 3, 2004

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### **JOINT PUBLIC NOTICE**

**U.S. Army Corps of Engineers  
Illinois Environmental Protection Agency  
Illinois Department of Natural Resources-  
Office of Water Resources**

**Applicant:** Lis Construction  
45 Scheffield Avenue  
Oakbrook, Illinois 60558

**Proposed Action:** Proposal to Install Two box Culverts and Modify St. Anne School Tributary for Construction of Rolling Meadows Subdivision Located Northeast of the Intersection of Theodore Street and Route 30 in Crest Hill, Will County, Illinois (see attached drawings). A detailed description of this proposal is provided on page 2 of this notice.

**Location of Proposed Action:** Northeast of the Intersection of Theodore Street and Route 30 in Crest Hill, Will County, Illinois (Sw Quarter of , Section 32, Township 36, Range 10)

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Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and as shown on the attached drawings. You are invited to provide your comments by **March 3, 2004** on the

proposed work, which will become part of the record and will be considered in the decision. A permit will be issued or denied under Section 404 of the Clean Water Act of 1972. Written comments should be mailed to:

U.S. Army Corps of Engineers  
Chicago District, Regulatory Branch  
Attn: 200201107, Melyssa Cruz  
111 North Canal Street, 6th floor  
Chicago, Illinois 60606-7206

### **Project Description**

Lis Construction proposes to develop a residential housing tract situated on approximately 25 acres. The project is located northeast of the intersection of Theodore Street and Helden Avenue in Crest Hill, Will County, Illinois (See Exhibit 1). The proposed project would involve a linear road crossing and grading within 0.72 acres of St. Anne School Tributary (See Exhibits 2 and 3). The on-site portion of St. Anne School Tributary will be re-graded and portions of on-site wetlands will be filled. Two naturalized stormwater basins would drain into the on-site wetland buffers. One detention basin will outlet into St. Anne School Tributary.

Impacts to St. Anne School Tributary are proposed to be mitigated off-site, and the regraded riparian stream corridor will be planted with native wetland vegetation. Rock Run ADID Wetland is located on the northern portion of the project area and extends off-site (See Exhibit 3)

Minimization of impacts to off-site wetland located upstream and downstream of the project area will be accomplished through the use of best management practices (BMPs). The BMPs to be utilized in this project include revegetating the impacted wetland with native wetland vegetation, naturalized stormwater detention basins, the northern basin with an emergent plant community and the southern basin with a wet meadow plant community, vegetated naturalized buffers, and native grassed swales at the backs of lots. Signs will be posted where homes are adjacent to naturalized areas.

**Regulatory Authority:** This proposed action will be reviewed according to the provisions of Section 404 of the Clean Water Act.

**Jurisdiction:** This application will be reviewed according to the provisions Section 404 of the Clean Water Act due to the proposal to impact St. Anne School Tributary, which is hydrologically connected to Rock Run ADID wetland. This wetland drains into Rock Run Creek, which flows into the Des Plaines River, a navigable "waters of the U.S.".

## **Evaluation Factors**

The decision whether to issue a permit will be based on an evaluation of probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, if the proposed activity involves the discharge of dredged or fill material into waters of the United States, the evaluation of the impact on the public interest will include application of Section 404(b)(1) guidelines (40 CFR 230) promulgated by the U.S. Environmental Protection Agency.

The Corps of Engineers is soliciting comments from the public, Federal, state and local agencies, Indian tribes, and other interested parties in order to consider and evaluate the potential impacts of the proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on the public interest factors listed above, as well as endangered species, historic properties, water quality, and general environmental effects. Comments will be used in the preparation of an Environmental Assessment and/or Environmental Impact Statement pursuant to the National Environmental Policy Act. A determination concerning the need for a public hearing will also be based on the comments received.

## **Preliminary Evaluation of Selected Factors**

**Water Quality** - The applicant has applied to the Illinois Environmental Protection Agency (IEPA) for water quality certification, or waiver thereof, for the proposed activity in accordance with Section 401 of the Clean Water Act. Certification or waiver indicates that IEPA believes the activity will not violate applicable water quality standards. The review by the IEPA is conducted in accordance with the Illinois water quality standards under 35 Illinois Administrative Code Subtitle C. The water quality standards provide for the IEPA to review individual projects by providing an antidegradation assessment, which includes an evaluation of alternatives to any proposed increase in pollutant loading that may result from this activity. The "Fact Sheet" containing the antidegradation assessment for this proposed project may be found on the IEPA's web site, at [www.epa.state.il.us/public-notice/](http://www.epa.state.il.us/public-notice/). In the event that the IEPA is unable to publish the "Fact Sheet" corresponding to the timeframe of this Joint Public Notice, a separate public notice and "Fact Sheet" will be published by the IEPA at the web site identified above. You may also obtain a copy of the "Fact Sheet" by contacting the IEPA at the address or telephone number shown below.

Written comments specifically concerning possible impacts to water quality should be addressed to:

Illinois Environmental Protection Agency  
Bureau of Water  
Watershed Management Section  
1021 N. Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

A copy of the written comments should be provided to the Corps of Engineers. If you have any questions please contact IEPA at (217) 782-3362.

**Department of Natural Resources** - The applicant has applied to the Illinois Department of Natural Resources, Division of Water Resources (IDNR-OWR) for a permit pursuant to the State of Illinois Rivers, Lakes and Streams Act (615 ILCS 5, 1994). Comments concerning the IDNR-OWR permit should be addressed to:

Illinois Department of Natural Resources  
Office of Water Resources  
2050 West Stearns Road  
Bartlett, Illinois 60103

with a copy provided to the Corps of Engineers. If you have any questions please contact IDNR at (847) 705-4341.

**Endangered and Threatened Species** - The Corps of Engineers has determined that the proposed activity would not affect any federally-listed endangered or threatened species or critical habitat for any endangered or threatened species, pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). Therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act does not appear to be warranted at this time.

**Historic Properties/Cultural Resources** - Preliminary review indicates that the proposed activity is not likely to adversely affect any historic property which is listed, or eligible for listing, on the National Register of Historic Places.

**Environmental Impact Statement** - A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

**Public Hearing** - Any person may request in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing. A request for a hearing may be denied if substantive reasons for holding a

hearing are not provided or if there is otherwise no valid interest to be served.

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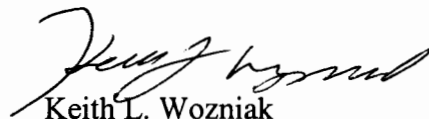
It should be noted that materials submitted as part of the permit application become part of the public record and are thus available to the general public under the procedures of the Freedom of Information Act (FOIA). Individuals may submit a written request to obtain materials under FOIA or make an appointment to view the project file at the Chicago District Corps of Engineers Office of Counsel.

Interested parties wishing to comment on the proposed activity must do so by in writing no later than **March 3, 2004**. It is presumed that all parties receiving this notice will wish to respond to this public notice; therefore, a lack of response will be interpreted as meaning that there is no objection to the project as described.

This public notice is not a paid advertisement and is for public information only. Issuance of this notice does not imply Corps of Engineers endorsement of the project as described.

If you have any questions, please contact Melyssa Cruz of the Regulatory Branch by telephone at (312) 846-5532 or email at [melyssa.r.cruz@usace.army.mil](mailto:melyssa.r.cruz@usace.army.mil). **It should be noted that comments received via e-mail can only be accepted with the full name and address of the individual commenting.** You can also visit our website at [www.lrc.usace.army.mil/co-r](http://www.lrc.usace.army.mil/co-r) for more information on our program.

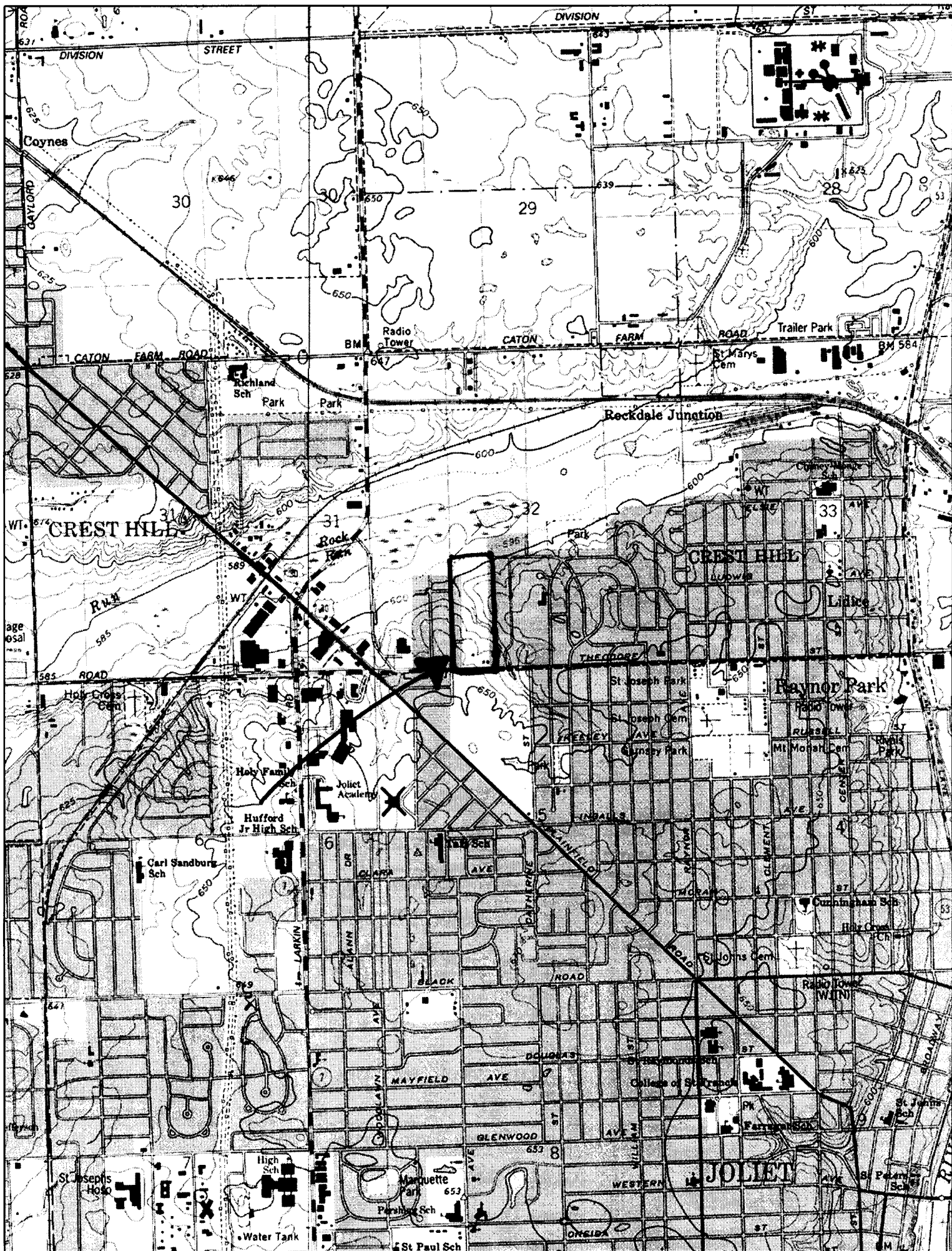
FOR THE DISTRICT ENGINEER:



Keith L. Wozniak  
Chief, West Section  
Regulatory Branch

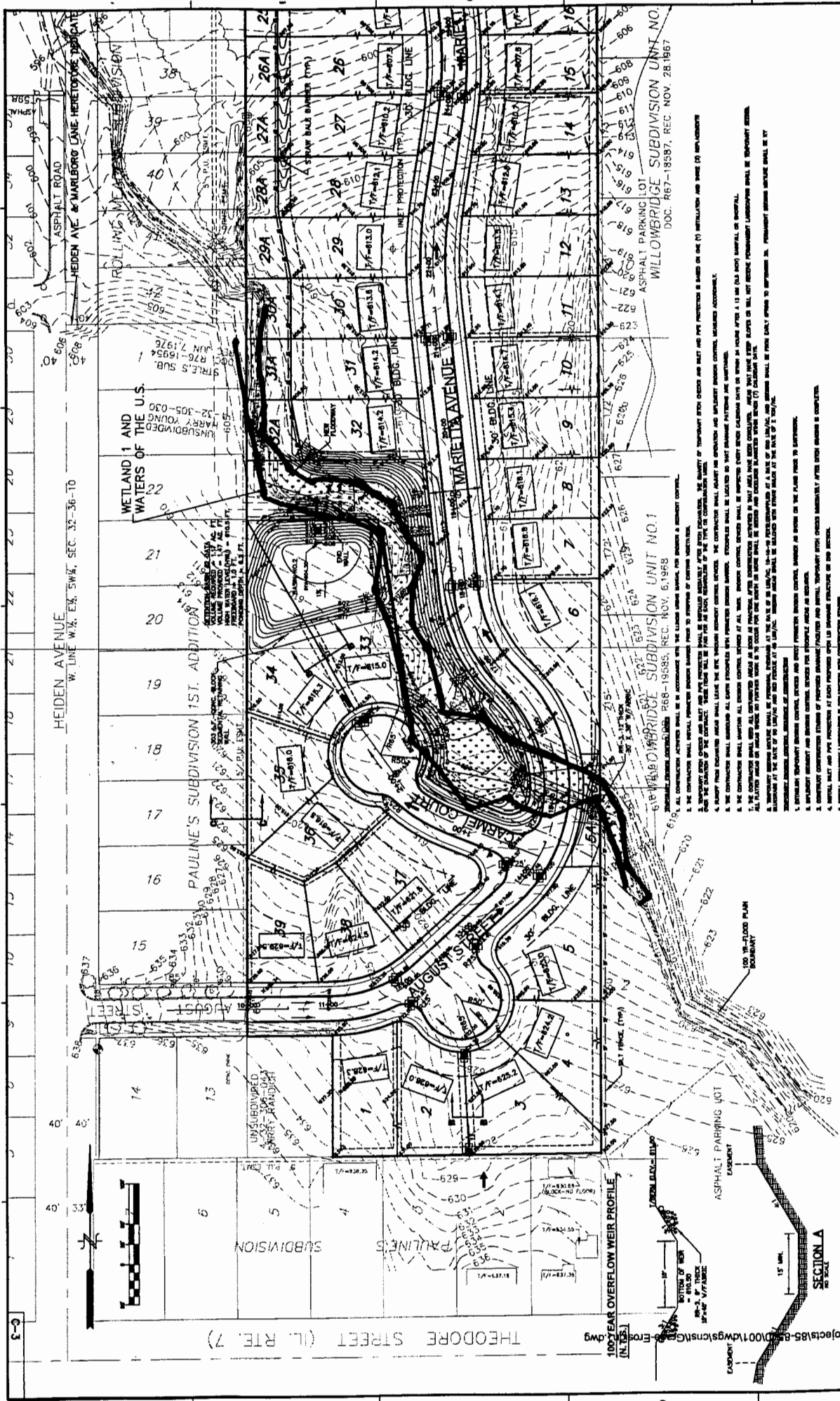
NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continuously posted until March 3, 2004.



EXHIBIT!



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